IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5064 OF 2005

Shafik Jahangir Fakir & Anr. ..Applicants.

V/s

The State of Maharashtra. ..Respondent.

Shri S.A.Ingawale for applicants.

Shri Y.R.Mirza, APP for state.

CORAM: A.M.KHANWILKAR,J

DATE : SEPTEMBER 1, 2005.

P.C. :

1. Heard counsel for the applicants as well as learned APP.

2. Counsel for the applicants submits that applicants are in custody for over one and half year. Besides, the evidence to indicate complicity of the applicants is weak. It is not possible to examine the case on merits, as I had occasion to dismiss the bail application preferred by the applicants on 22/9/2004 in the criminal application No. 3824 of 2005. Merely because the applicants are in custody for over one and half year cannot be said to be changed circumstance. In the circumstances, the appropriate course, to my mind, is to direct the trial to be expedited. The Sessions

Court, Kolhapur is directed to assign the case to fast track court, if already not done, so as to ensure that the trial is concluded by the end of February, 2006, as High court expedited case. Application disposed of on the above terms.

3. All concerned to act on the authenticated copy of this order.